

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FAISEL SALEH,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:16-CV-2782-G (BN)
TIME WARNER CABLE,)	
)	
Defendant.)	

**ORDER ADOPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. *See* docket entry 27. An objection was filed by plaintiff. *See* docket entry 28. The district court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the court **ACCEPTS** the findings, conclusions, and recommendation of the United States Magistrate Judge.

The court **GRANTS** defendant's Federal Rule of Civil Procedure 12(c) motion for judgment on the pleadings (docket entry 13) but allows plaintiff leave to file an

amended complaint and notes that during the pendency of the findings, conclusions, and recommendation plaintiff did, in fact, file a new motion seeking leave to amend his complaint in this action, *see* docket entry 29.

As to plaintiff's motion to dismiss this action without prejudice, *see* docket entry 19, through plaintiff's objection, along with his filing of another motion seeking leave to amend his complaint in this action, plaintiff has made clear his intent to continue to prosecute the current action. As such, plaintiff's motion to dismiss (docket entry 19) is **DENIED** as moot.

The court further **DENIES** plaintiff's motion to transfer (docket entry 25) and **RECOMMITS** this action to **Judge Horan** for pretrial management.

SO ORDERED.

March 13, 2017.



A. JOE FISH
Senior United States District Judge